

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LUIS A. FLORES,)	
Plaintiff,)	
)	C.A. No. 05-11854-NMG
v.)	
)	
)	
MICHAEL MALONEY, ET AL.,)	
Defendants.)	

MEMORANDUM AND ORDER FOR DISMISSAL

GORTON, D.J.

By Memorandum and Order (#2) dated October 11, 2005, this Court directed Plaintiff to, within forty-two (42) days of the Memorandum and Order, either pay the filing fee or file an Application to Proceed Without Prepayment of Fees, accompanied by a certified prison account statement in accordance with 28 U.S.C. §1915(b). The Memorandum and Order also directed Plaintiff to show cause, within that time period, why this action should not be dismissed for the reasons stated therein.

To date, Plaintiff has failed to pay the filing fee or file an Application to Proceed Without Prepayment of Fees (although his prison account statement was provided by the Treasurer's Office as directed). More importantly, however, Plaintiff has failed to file a written response showing cause why this action should not be dismissed on the merits, for the reasons stated in the Memorandum and Order. The time period for compliance with this Court's Memorandum and Order has since expired, and no request for an extension has been filed.

Accordingly, for the reasons stated herein, and for the reasons set forth in the October 11, 2005 Memorandum and Order, it is hereby ORDERED that this action is dismissed.

Dated: December 7, 2005

/s/ Nathaniel M. Gorton
NATHANIEL M. GORTON
UNITED STATES DISTRICT JUDGE